
SECOND ENGROSSED SUBSTITUTE HOUSE BILL 2195

State of Washington

58th Legislature

2003 Regular Session

By House Committee on Education (originally sponsored by Representatives McDermott, Talcott, Quall, Tom and Haigh)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to state academic standards; amending RCW
2 28A.230.090, 28A.195.010, 28A.200.010, 28A.655.070, and 28A.655.030;
3 adding a new section to chapter 28A.655 RCW; adding a new section to
4 chapter 28A.230 RCW; creating new sections; repealing RCW 28A.655.060;
5 and declaring an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **PART 1**

8 **CERTIFICATE OF ACADEMIC ACHIEVEMENT**

9 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.655
10 RCW to read as follows:

11 CERTIFICATE REQUIREMENTS. (1) The high school assessment system
12 shall include but need not be limited to the Washington assessment of
13 student learning, opportunities for a student to retake the content
14 areas of the assessment in which the student was not successful, and
15 one or more alternative means for a student to demonstrate achievement
16 of state academic standards. The alternative means for each content
17 area shall be comparable in rigor to the Washington assessment of
18 student learning for each content area.

1 (2) Subject to the conditions in this section, beginning with the
2 graduating class of 2008, successful completion of the reading,
3 writing, and mathematics content areas of the high school Washington
4 assessment of student learning, or of an approved alternative means in
5 those content areas as provided in subsection (10) of this section,
6 shall lead to a certificate of academic achievement. The certificate
7 of academic achievement shall be obtained by most students at about the
8 age of sixteen, and is evidence that the students have successfully met
9 the state standard in the content areas included in the certificate.
10 The certificate of academic achievement is required for graduation from
11 a public high school but is not the only requirement for graduation.

12 (3) Beginning with the graduating class of 2010, successful
13 completion of the reading, writing, mathematics, and science content
14 areas of the high school Washington assessment of student learning, or
15 of an approved alternative means in those content areas, is required
16 for graduation from a public high school in the state of Washington and
17 shall lead to a certificate of academic achievement.

18 (4) The state board of education may not require the acquisition of
19 the certificate of academic achievement for students in home-based
20 instruction under chapter 28A.200 RCW or for students enrolled in
21 private schools under chapter 28A.195 RCW.

22 (5) A student may retain and use the highest result from each
23 successfully completed content area of the high school assessment.

24 (6) Beginning with the graduating class of 2008, the highest level
25 achieved in each content area on the high school Washington assessment
26 of student learning shall be displayed on a student's transcript. In
27 addition, beginning with the graduating class of 2008, each student
28 shall receive a scholar's designation on his or her transcript for each
29 content area in which the student achieves level four.

30 (7) Beginning with the graduating class of 2008, if a student takes
31 the high school assessment but is not successful in one or more content
32 areas required for the certificate of academic achievement, the student
33 may retake the assessment in that content area one or more times at no
34 cost to the student and may choose one or more of the following
35 options:

36 (a) To retake the assessment in that content area at least once in
37 the spring and once in the fall or winter if the student is enrolled in
38 a public school;

1 (b) To retake the assessment in that content area if the student is
2 enrolled in a high school completion program. The superintendent of
3 public instruction and the state board for community and technical
4 colleges shall jointly identify means by which students in these
5 programs can be assessed; or

6 (c) To use an alternative means developed and approved by the
7 superintendent of public instruction to demonstrate achievement of the
8 standards for that content area if the student has retaken the
9 assessment in that content area at least once.

10 (8) Students who achieve the standard in a content area of the high
11 school assessment of student learning but who wish to improve their
12 results shall pay for retaking the assessment, using a uniform cost
13 determined by the superintendent of public instruction.

14 (9) Subject to available funding, the superintendent shall pilot
15 both opportunities for retaking the high school assessment and
16 alternative means beginning in the 2005-06 school year. Beginning no
17 later than September 2006, opportunities to retake the assessment at
18 least once in the fall or winter and once in the spring shall be
19 available in each school district.

20 (10) Beginning no later than spring 2007, subject to formal
21 legislative approval of the alternative means, alternative means shall
22 be in place in each school district to demonstrate achievement of the
23 state standards in a content area in which the student was unsuccessful
24 on the Washington assessment of student learning. Through the omnibus
25 appropriations act, or by statute or concurrent resolution, the
26 legislature shall formally approve the use of any alternative means,
27 including any appeals process, before its implementation as part of the
28 high school assessment system.

29 (11) Beginning no later than September 1, 2006, each school
30 district shall prepare a plan for each eighth grade through twelfth
31 grade student who was not successful in one or more content areas of
32 the Washington assessment of student learning. The plan shall include,
33 but need not be limited to, the courses, competencies, and other steps
34 needed to be taken by the student to meet state academic standards and
35 stay on track for graduation. Progress on the plan shall be reported
36 to the student and the student's parents or guardian. In addition,
37 through a parent conference, schools must notify the parent or guardian
38 of each eighth grade student about the student's results on

1 theassessment of student learning, identify actions the school intends
2 to take to improve the student's skills in any content area in which
3 the student was unsuccessful, and provide the parents or guardian with
4 strategies to help them improve their student's skills in that content
5 area.

6 NEW SECTION. **Sec. 102.** CERTIFICATE REPORTS REQUIRED ON THE
7 APPROPRIATE APPLICATION OF THE CERTIFICATE REQUIREMENT TO SPECIAL
8 EDUCATION AND STUDENTS WITH LIMITED ENGLISH PROFICIENCY, THE CUT SCORES
9 REQUIRED TO ACHIEVE THE CERTIFICATE, ALTERNATIVE MEANS, AND ISSUES
10 RELATED TO VALIDITY AND RELIABILITY. (1) By November 30, 2003, subject
11 to available funding, the office of the superintendent of public
12 instruction shall report recommendations to the governor, the state
13 board of education, and the house of representatives and senate
14 education committees on the appropriate application of the certificate
15 of academic achievement to special education students and limited
16 English proficiency students and recommendations on the best practices
17 that may be used with students who need additional assistance to meet
18 the certificate requirements. In the superintendent's deliberations,
19 the superintendent shall consult with practicing teachers and
20 principals, practicing special education practitioners including
21 educational staff associates, parents, education organizations, and
22 other interested parties.

23 (2) Before the results of the 2004 high school assessment of
24 student learning are reported to school districts, the academic
25 achievement and accountability commission shall review and adjust, if
26 necessary, the performance standards needed to meet the high school
27 standards and obtain a certificate of academic achievement as provided
28 in section 101 of this act. The commission shall include in its review
29 consideration of the use of the standard error of measurement into the
30 decision regarding the award of the certificate of academic
31 achievement. To assist in its deliberations, the commission shall seek
32 advice from a committee that includes parents, practicing classroom
33 teachers and principals, administrators, staff, and other interested
34 parties.

35 (3) The office of the superintendent of public instruction shall
36 develop alternative means for students to demonstrate achievement of
37 the state academic standards. The alternative means shall becomparable

1 in rigor to the Washington assessment of student learning and shall
2 include procedures and criteria to help determine whether students who
3 were not successful in one or more of the content areas of the high
4 school assessment can demonstrate that they meet state standards
5 through another objectively evaluated means. In its deliberations, the
6 office of the superintendent of public instruction shall consult with
7 parents, administrators, practicing classroom teachers including
8 teachers in career and technical education, practicing principals,
9 appropriate agencies, professional organizations, assessment experts,
10 and other interested parties.

11 (a) By July 1, 2004, the office of the superintendent of public
12 instruction shall report its recommendations for alternative means,
13 including possible options and a possible appeals process, to the
14 governor, the state board of education, and the house of
15 representatives and senate education committees.

16 (b) By July 1, 2005, subject to available funding, alternative
17 means shall be available for pilot testing by school districts.

18 (c) By December 1, 2006, the superintendent shall report to the
19 governor, the state board of education, and the house of
20 representatives and senate education committees on information obtained
21 through the pilots of the alternative means. The report shall include
22 an analysis of the comparative rigor of the alternative means to the
23 Washington assessment of student learning for that content area.

24 (d) Through the omnibus appropriations act, or by statute or
25 concurrent resolution, the legislature shall formally approve the use
26 of any alternative means, including any appeals process, before its
27 implementation as a part of the high school assessment system.

28 (4) By November 30, 2004, the superintendent of public instruction
29 and the state board of education shall provide to the house of
30 representatives and senate education committees all available pertinent
31 studies, information, and independent third-party analyses on the
32 validity and reliability of the high school assessment system,
33 especially as it pertains to the use of the system for individual
34 student decisions.

35 **Sec. 103.** RCW 28A.230.090 and 1997 c 222 s 2 are each amended to
36 read as follows:

37 CERTIFICATE OF ACADEMIC ACHIEVEMENT - STATE BOARD OF EDUCATION

1 HIGHSCHOOL GRADUATION REQUIREMENTS, INCLUDING LOCAL DETERMINATION OF
2 INDIVIDUAL STUDENT SUCCESS. (1) The state board of education shall
3 establish high school graduation requirements or equivalencies for
4 students.

5 (a) Any course in Washington state history and government used to
6 fulfill high school graduation requirements is encouraged to include
7 information on the culture, history, and government of the American
8 Indian peoples who were the first inhabitants of the state.

9 (b) The certificate of academic achievement requirements under
10 section 101 of this act are required for graduation from a public high
11 school but are not the only requirements for graduation.

12 (c) Any decision on whether a student has met the state board's
13 high school graduation requirements for a high school and beyond plan
14 shall remain at the local level.

15 (2) In recognition of the statutory authority of the state board of
16 education to establish and enforce minimum high school graduation
17 requirements, the state board shall periodically reevaluate the
18 graduation requirements and shall report such findings to the
19 legislature in a timely manner as determined by the state board.

20 (3) Pursuant to any requirement for instruction in languages other
21 than English established by the state board of education or a local
22 school district, or both, for purposes of high school graduation,
23 students who receive instruction in American sign language or one or
24 more American Indian languages shall be considered to have satisfied
25 the state or local school district graduation requirement for
26 instruction in one or more languages other than English.

27 (4) If requested by the student and his or her family, a student
28 who has completed high school courses before attending high school
29 shall be given high school credit which shall be applied to fulfilling
30 high school graduation requirements if:

31 (a) The course was taken with high school students, if the academic
32 level of the course exceeds the requirements for seventh and eighth
33 grade classes, and the student has successfully passed by completing
34 the same course requirements and examinations as the high school
35 students enrolled in the class; or

36 (b) The academic level of the course exceeds the requirements for
37 seventh and eighth grade classes and the course would qualify for

1 highschool credit, because the course is similar or equivalent to a
2 course offered at a high school in the district as determined by the
3 school district board of directors.

4 (5) Students who have taken and successfully completed high school
5 courses under the circumstances in subsection (4) of this section shall
6 not be required to take an additional competency examination or perform
7 any other additional assignment to receive credit. Subsection (4) of
8 this section shall also apply to students enrolled in high school on
9 April 11, 1990, who took the courses before attending high school.

10 (6) At the college or university level, five quarter or three
11 semester hours equals one high school credit.

12 **Sec. 104.** RCW 28A.195.010 and 1993 c 336 s 1101 are each amended
13 to read as follows:

14 CERTIFICATE OF ACADEMIC ACHIEVEMENT - PRIVATE SCHOOL STUDENTS
15 EXEMPTED. The legislature hereby recognizes that private schools
16 should be subject only to those minimum state controls necessary to
17 insure the health and safety of all the students in the state and to
18 insure a sufficient basic education to meet usual graduation
19 requirements. The state, any agency or official thereof, shall not
20 restrict or dictate any specific educational or other programs for
21 private schools except as hereinafter in this section provided.

22 Principals of private schools or superintendents of private school
23 districts shall file each year with the state superintendent of public
24 instruction a statement certifying that the minimum requirements
25 hereinafter set forth are being met, noting any deviations. After
26 review of the statement, the state superintendent will notify schools
27 or school districts of those deviations which must be corrected. In
28 case of major deviations, the school or school district may request and
29 the state board of education may grant provisional status for one year
30 in order that the school or school district may take action to meet the
31 requirements. Minimum requirements shall be as follows:

32 (1) The minimum school year for instructional purposes shall
33 consist of no less than one hundred eighty school days or the
34 equivalent in annual minimum program hour offerings as prescribed in
35 RCW 28A.150.220.

36 (2) The school day shall be the same as that required in RCW
37 28A.150.030 and 28A.150.220, except that the percentages of

1 totalprogram hour offerings as prescribed in RCW 28A.150.220 for basic
2 skills, work skills, and optional subjects and activities shall not
3 apply to private schools or private sectarian schools.

4 (3) All classroom teachers shall hold appropriate Washington state
5 certification except as follows:

6 (a) Teachers for religious courses or courses for which no
7 counterpart exists in public schools shall not be required to obtain a
8 state certificate to teach those courses.

9 (b) In exceptional cases, people of unusual competence but without
10 certification may teach students so long as a certified person
11 exercises general supervision. Annual written statements shall be
12 submitted to the office of the superintendent of public instruction
13 reporting and explaining such circumstances.

14 (4) An approved private school may operate an extension program for
15 parents, guardians, or persons having legal custody of a child to teach
16 children in their custody. The extension program shall require at a
17 minimum that:

18 (a) The parent, guardian, or custodian be under the supervision of
19 an employee of the approved private school who is certified under
20 chapter 28A.410 RCW;

21 (b) The planning by the certified person and the parent, guardian,
22 or person having legal custody include objectives consistent with this
23 subsection and subsections (1), (2), (5), (6), and (7) of this section;

24 (c) The certified person spend a minimum average each month of one
25 contact hour per week with each student under his or her supervision
26 who is enrolled in the approved private school extension program;

27 (d) Each student's progress be evaluated by the certified person;
28 and

29 (e) The certified employee shall not supervise more than thirty
30 students enrolled in the approved private school's extension program.

31 (5) Appropriate measures shall be taken to safeguard all permanent
32 records against loss or damage.

33 (6) The physical facilities of the school or district shall be
34 adequate to meet the program offered by the school or district:
35 PROVIDED, That each school building shall meet reasonable health and
36 fire safety requirements. However, the state board shall not require
37 private school students to meet the student learning goals, obtain a
38 certificate of (~~mastery~~) academic achievement to graduate from

1 highschool, to master the essential academic learning requirements, or
2 to be assessed pursuant to ((RCW 28A.630.885)) section 101 of this act.
3 However, private schools may choose, on a voluntary basis, to have
4 their students master these essential academic learning requirements,
5 take these assessments, and obtain certificates of ((mastery)) academic
6 achievement. A residential dwelling of the parent, guardian, or
7 custodian shall be deemed to be an adequate physical facility when a
8 parent, guardian, or person having legal custody is instructing his or
9 her child under subsection (4) of this section.

10 (7) Private school curriculum shall include instruction of the
11 basic skills of occupational education, science, mathematics, language,
12 social studies, history, health, reading, writing, spelling, and the
13 development of appreciation of art and music, all in sufficient units
14 for meeting state board of education graduation requirements.

15 (8) Each school or school district shall be required to maintain
16 up-to-date policy statements related to the administration and
17 operation of the school or school district.

18 All decisions of policy, philosophy, selection of books, teaching
19 material, curriculum, except as in subsection (7) ((above)) of this
20 section provided, school rules and administration, or other matters not
21 specifically referred to in this section, shall be the responsibility
22 of the administration and administrators of the particular private
23 school involved.

24 **Sec. 105.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to
25 read as follows:

26 CERTIFICATE OF ACADEMIC ACHIEVEMENT - STUDENTS IN HOME-BASED
27 INSTRUCTION EXEMPTED. (1) Each parent whose child is receiving home-
28 based instruction under RCW 28A.225.010(4) shall have the duty to:

29 ((+1)) (a) File annually a signed declaration of intent that he or
30 she is planning to cause his or her child to receive home-based
31 instruction. The statement shall include the name and age of the
32 child, shall specify whether a certificated person will be supervising
33 the instruction, and shall be written in a format prescribed by the
34 superintendent of public instruction. Each parent shall file the
35 statement by September 15th of the school year or within two weeks of
36 the beginning of any public school quarter, trimester, or semester with
37 the superintendent of the public school district within which the parent

1 resides or the district that accepts the transfer, and the student
2 shall be deemed a transfer student of the nonresident district.
3 Parents may apply for transfer under RCW 28A.225.220;

4 ~~((+2))~~ (b) Ensure that test scores or annual academic progress
5 assessments and immunization records, together with any other records
6 that are kept relating to the instructional and educational activities
7 provided, are forwarded to any other public or private school to which
8 the child transfers. At the time of a transfer to a public school, the
9 superintendent of the local school district in which the child enrolls
10 may require a standardized achievement test to be administered and
11 shall have the authority to determine the appropriate grade and course
12 level placement of the child after consultation with parents and review
13 of the child's records; and

14 ~~((+3))~~ (c) Ensure that a standardized achievement test approved by
15 the state board of education is administered annually to the child by
16 a qualified individual or that an annual assessment of the student's
17 academic progress is written by a certificated person who is currently
18 working in the field of education. The state board of education shall
19 not require these children to meet the student learning goals, master
20 the essential academic learning requirements, to take the assessments,
21 or to obtain a certificate of ~~((mastery))~~ academic achievement pursuant
22 to ~~((RCW 28A.630.885))~~ section 101 of this act. The standardized test
23 administered or the annual academic progress assessment written shall
24 be made a part of the child's permanent records. If, as a result of
25 the annual test or assessment, it is determined that the child is not
26 making reasonable progress consistent with his or her age or stage of
27 development, the parent shall make a good faith effort to remedy any
28 deficiency.

29 (2) Failure of a parent to comply with the duties in this section
30 shall be deemed a failure of such parent's child to attend school
31 without valid justification under RCW 28A.225.020. Parents who do
32 comply with the duties set forth in this section shall be presumed to
33 be providing home-based instruction as set forth in RCW 28A.225.010(4).

34 **PART 2**

35 **ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS**

1 NEW SECTION. **Sec. 201.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
2 AND ASSESSMENTS - REPORT REQUIRED ON ASSESSMENTS AND OTHER OPTIONS FOR
3 MEETING THE ESSENTIAL ACADEMIC LEARNING REQUIREMENTS IN SOCIAL STUDIES,
4 THE ARTS, AND HEALTH AND FITNESS. By September 1, 2004, the
5 superintendent of public instruction, after consultation with parents,
6 practicing classroom teachers and principals, education organizations,
7 and other interested parties, shall report to the governor, the state
8 board of education, and the house of representatives and senate
9 education committees with assessment options and other strategies to
10 assure continued support and attention to the essential academic
11 learning requirements in social studies, the arts, and health and
12 fitness in elementary, middle, and high schools. The options shall
13 include a recommended timeline for implementation of those
14 recommendations the legislature adopts. The options may include
15 recommendations on the design, administration, scoring, and reporting
16 of classroom or performance-based assessments for these content areas.
17 The options may also include local and state reporting requirements in
18 these content areas.

19 NEW SECTION. **Sec. 202.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
20 AND ASSESSMENTS - REPORTS REQUIRED ON THE ESSENTIAL ACADEMIC LEARNING
21 REQUIREMENTS, THE RESULTS OF INDEPENDENT RESEARCH ON ALIGNMENT AND
22 TECHNICAL REVIEW, AND THE FEASIBILITY OF RETURNING ASSESSMENT BEFORE
23 THE END OF THE SCHOOL YEAR. (1) Subject to available funding, the
24 superintendent of public instruction shall report to the governor, the
25 state board of education, and the house of representatives and senate
26 education committees on the results of independent research on the
27 alignment and technical review of the reading, writing, and science
28 content areas of the Washington assessment of student learning for
29 elementary and middle grades and for high school. The review shall be
30 comparable to the research conducted on the mathematics assessments and
31 shall be reported in accordance with the following timelines:

32 (a) In the content areas of reading and writing by November 1,
33 2004; and

34 (b) In the content area of science by November 1, 2006.

35 (2) The superintendent of public instruction shall report to the
36 governor, the state board of education, and the house of
37 representatives and senate education committees on the

1 review, prioritization, and identification of the essential academic
2 learning requirements and grade level content expectations in
3 accordance with the following timelines:

4 (a) In the content areas of reading, writing, math, and science by
5 November 1, 2004;

6 (b) In the content area of social studies by November 1, 2005;

7 (c) In the content area of the arts by November 1, 2006; and

8 (d) In the content area of health and fitness by November 1, 2007.

9 (3) By November 30, 2003, the superintendent of public instruction
10 shall report to the governor, the state board of education, and the
11 house of representatives and senate education committees on the
12 feasibility of returning the results of the Washington assessment of
13 student learning, including individual student performance information,
14 to schools, teachers, and parents in the same school year in which the
15 assessment is administered.

16 NEW SECTION. **Sec. 203.** A new section is added to chapter 28A.230
17 RCW to read as follows:

18 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS. By the
19 end of the 2008-09 school year, school districts shall have in place in
20 elementary schools, middle schools, and high schools assessments or
21 other strategies to assure that students have an opportunity to learn
22 the essential academic learning requirements in social studies, the
23 arts, and health and fitness.

24 **Sec. 204.** RCW 28A.655.070 and 1999 c 388 s 501 are each amended to
25 read as follows:

26 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS - DUTIES
27 OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION. (1) The superintendent of
28 public instruction shall develop essential academic learning
29 requirements that identify the knowledge and skills all public school
30 students need to know and be able to do based on the student learning
31 goals in RCW 28A.150.210, develop student assessments, and implement
32 the accountability recommendations and requests regarding assistance,
33 rewards, and recognition of the academic achievement and accountability
34 commission.

35 (2) The superintendent of public instruction shall:

1 (a) Periodically revise the essential academic learning
2 requirements, as needed, based on the student learning goals in RCW
3 28A.150.210. Goals one and two shall be considered primary. To the
4 maximum extent possible, the superintendent shall integrate goal four
5 and the knowledge and skill areas in the other goals in the essential
6 academic learning requirements; and

7 (b) Review and prioritize the essential academic learning
8 requirements and identify, with clear and concise descriptions, the
9 grade level content expectations to be assessed on the Washington
10 assessment of student learning and used for state or federal
11 accountability purposes. The review, prioritization, and
12 identification shall result in more focus and targeting with an
13 emphasis on depth over breadth in the number of grade level content
14 expectations assessed at each grade level. Grade level content
15 expectations shall be articulated over the grades as a sequence of
16 expectations and performances that are logical, build with increasing
17 depth after foundational knowledge and skills are acquired, and
18 reflect, where appropriate, the sequential nature of the discipline.
19 The office of the superintendent of public instruction, within seven
20 working days, shall post on its web site any grade level content
21 expectations provided to an assessment vendor for use in constructing
22 the Washington assessment of student learning.

23 (3) In consultation with the academic achievement and
24 accountability commission, the superintendent of public instruction
25 shall maintain and continue to develop and revise a statewide academic
26 assessment system in the content areas of reading, writing,
27 mathematics, and science for use in the elementary, middle, and high
28 school years designed to determine if each student has mastered the
29 essential academic learning requirements identified in subsection (1)
30 of this section. School districts shall administer the assessments
31 under guidelines adopted by the superintendent of public instruction.

32 The academic assessment system shall include a variety of assessment
33 methods, including criterion-referenced and performance-based measures.

34 (4) If the superintendent proposes any modification to the
35 essential academic learning requirements or the statewide assessments,
36 then the superintendent shall, upon request, provide opportunities for
37 the education committees of the house of representatives and the

1 senateto review the assessments and proposed modifications to the
2 essential academic learning requirements before the modifications are
3 adopted.

4 (5)(a) The assessment system shall be designed so that the results
5 under the assessment system are used by educators as tools to evaluate
6 instructional practices, and to initiate appropriate educational
7 support for students who have not mastered the essential academic
8 learning requirements at the appropriate periods in the student's
9 educational development.

10 ((+5)) (b) Assessments measuring the essential academic learning
11 requirements in the content area of science shall be available for
12 mandatory use in middle schools and high schools by the 2003-04 school
13 year and for mandatory use in elementary schools by the 2004-05 school
14 year unless the legislature takes action to delay or prevent
15 implementation of the assessment.

16 (6) By September 2006, the results for reading and mathematics
17 shall be reported in a format that will allow parents and teachers to
18 determine the academic gain a student has acquired in those content
19 areas from one school year to the next.

20 (7) In order to assist parents and teachers in their efforts to
21 provide educational support to individual students, the superintendent
22 of public instruction shall provide as much individual student
23 performance information as possible within the constraints of the
24 assessment system's item bank. The superintendent shall also provide
25 to school districts information on classroom-based and other
26 assessments that may provide additional achievement information for
27 individual students.

28 (8) To the maximum extent possible, the superintendent shall
29 integrate knowledge and skill areas in development of the assessments.

30 ((+6)) (9) Assessments for goals three and four of RCW 28A.150.210
31 shall be integrated in the essential academic learning requirements and
32 assessments for goals one and two.

33 ((+7)) (10) The superintendent shall develop assessments that are
34 directly related to the essential academic learning requirements, and
35 are not biased toward persons with different learning styles, racial or
36 ethnic backgrounds, or on the basis of gender.

37 ((+8)) (11) The superintendent shall consider methods to address

1 the unique needs of special education students when developing the
2 assessments under this section.

3 ~~((9))~~ (12) The superintendent shall consider methods to address
4 the unique needs of highly capable students when developing the
5 assessments under this section.

6 (13) The superintendent shall post on the superintendent's web
7 site, for optional use by schools and school districts, lists of
8 resources and model assessments in social studies, the arts, and health
9 and fitness.

10 **Sec. 205.** RCW 28A.655.030 and 2002 c 37 s 1 are each amended to
11 read as follows:

12 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS - DUTIES
13 OF THE ACADEMIC ACHIEVEMENT AND ACCOUNTABILITY COMMISSION. The powers
14 and duties of the academic achievement and accountability commission
15 shall include, but are not limited to the following:

16 (1) For purposes of statewide accountability, the commission shall:

17 (a) Adopt and revise performance improvement goals in reading,
18 writing, science, and mathematics by subject and grade level as the
19 commission deems appropriate to improve student learning, once
20 assessments in these subjects are required statewide. The goals shall
21 be consistent with student privacy protection provisions of RCW
22 28A.655.090(7) and shall not conflict with requirements contained in
23 Title I of the federal elementary and secondary education act of 1965,
24 as amended. The goals may be established for all students,
25 economically disadvantaged students, limited English proficient
26 students, students with disabilities, and students from
27 disproportionately academically underachieving racial and ethnic
28 backgrounds. The commission may establish school and school district
29 goals addressing high school graduation rates and dropout reduction
30 goals for students in grades seven through twelve. ~~((The goals shall
31 be in addition to any goals adopted in RCW 28A.655.050. The commission
32 may also revise any goal adopted in RCW 28A.655.050.))~~ The commission
33 shall adopt the goals by rule. However, before each goal is
34 implemented, the commission shall present the goal to the education
35 committees of the house of representatives and the senate for the
36 committees' review and comment in a time frame that will permit the

1 legislature to take statutory action on the goal if such action is
2 deemed warranted by the legislature;

3 (b) Identify the scores students must achieve in order to meet the
4 standard on the Washington assessment of student learning and, for high
5 school students, obtain a certificate of academic achievement. The
6 commission shall also determine student scores that identify levels of
7 student performance below and beyond the standard. The commission
8 shall consider the incorporation of the standard error of measurement
9 into the decision regarding the award of the certificate of academic
10 achievement. The commission shall set such performance standards and
11 levels in consultation with the superintendent of public instruction
12 and after consideration of any recommendations that may be developed by
13 any advisory committees that may be established for this purpose.
14 Beginning in 2004, if the commission makes any adjustment of the
15 student performance standards, then the commission shall present the
16 recommended performance standard to the education committees of the
17 house of representatives and the senate by November 30th of the year
18 before the school year in which the changes will take place in order to
19 permit the legislature to take statutory action before the changes are
20 implemented if such action is deemed warranted by the legislature. Any
21 new or revised performance standard the commission plans to use for
22 2004 assessments shall be presented to the legislature by January 1,
23 2004;

24 (c) Adopt objective, systematic criteria to identify successful
25 schools and school districts and recommend to the superintendent of
26 public instruction schools and districts to be recognized for two types
27 of accomplishments, student achievement and improvements in student
28 achievement. Recognition for improvements in student achievement shall
29 include consideration of one or more of the following accomplishments:

30 (i) An increase in the percent of students meeting standards. The
31 level of achievement required for recognition may be based on the
32 achievement goals established by the legislature (~~under RCW~~
33 ~~28A.655.050~~) and by the commission under (a) of this subsection;

34 (ii) Positive progress on an improvement index that measures
35 improvement in all levels of the assessment; and

36 (iii) Improvements despite challenges such as high levels of
37 mobility, poverty, English as a second language learners, and large

1 numbers of students in special populations as measured by either the
2 percent of students meeting the standard, or the improvement index.

3 When determining the baseline year or years for recognizing
4 individual schools, the commission may use the assessment results from
5 the initial years the assessments were administered, if doing so with
6 individual schools would be appropriate;

7 (d) Adopt objective, systematic criteria to identify schools and
8 school districts in need of assistance and those in which significant
9 numbers of students persistently fail to meet state standards. In its
10 deliberations, the commission shall consider the use of all statewide
11 mandated criterion-referenced and norm-referenced standardized tests;

12 (e) Identify schools and school districts in which state
13 intervention measures will be needed and a range of appropriate
14 intervention strategies, beginning no earlier than June 30, 2001, and
15 after the legislature has authorized a set of intervention strategies.
16 Beginning no earlier than June 30, 2001, and after the legislature has
17 authorized a set of intervention strategies, at the request of the
18 commission, the superintendent shall intervene in the school or school
19 district and take corrective actions. This chapter does not provide
20 additional authority for the commission or the superintendent of public
21 instruction to intervene in a school or school district;

22 (f) Identify performance incentive systems that have improved or
23 have the potential to improve student achievement;

24 (g) Annually review the assessment reporting system to ensure
25 fairness, accuracy, timeliness, and equity of opportunity, especially
26 with regard to schools with special circumstances and unique
27 populations of students, and a recommendation to the superintendent of
28 public instruction of any improvements needed to the system;

29 (h) Annually report by December 1st to the legislature, the
30 governor, the superintendent of public instruction, and the state board
31 of education on the progress, findings, and recommendations of the
32 commission. The report may include recommendations of actions to help
33 improve student achievement;

34 (i) By December 1, 2000, and by December 1st annually thereafter,
35 report to the education committees of the house of representatives and
36 the senate on the progress that has been made in achieving ((~~the~~
37 ~~reading goal under RCW 28A.655.050 and any additional~~)) goals adopted
38 by the commission;

1 (j) Coordinate its activities with the state board of education and
2 the office of the superintendent of public instruction;

3 (k) Seek advice from the public and all interested educational
4 organizations in the conduct of its work; and

5 (1) Establish advisory committees, which may include persons who
6 are not members of the commission;

7 (2) Holding meetings and public hearings, which may include
8 regional meetings and hearings;

9 (3) Hiring necessary staff and determining the staff's duties and
10 compensation. However, the office of the superintendent of public
11 instruction shall provide staff support to the commission until the
12 commission has hired its own staff, and shall provide most of the
13 technical assistance and logistical support needed by the commission
14 thereafter. The office of the superintendent of public instruction
15 shall be the fiscal agent for the commission. The commission may
16 direct the office of the superintendent of public instruction to enter
17 into subcontracts, within the commission's resources, with school
18 districts, teachers, higher education faculty, state agencies, business
19 organizations, and other individuals and organizations to assist the
20 commission in its deliberations; and

21 (4) Receiving per diem and travel allowances as permitted under RCW
22 43.03.050 and 43.03.060.

23 NEW SECTION. **Sec. 206.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
24 AND ASSESSMENTS - RCW 28A.655.060 REPEALED. RCW 28A.655.060 (Essential
25 academic learning requirements--Statewide academic assessment system--
26 Certificate of mastery--Educational pathways--Accountability--Reports
27 and recommendations--Washington commission on student learning,
28 creation and expiration) and 2001 2nd sp.s. c 20 s 1, 1999 c 373 s 501,
29 1998 c 225 s 1, & 1997 c 268 s 1 are each repealed.

30 **PART 3**

31 **MISCELLANEOUS**

32 NEW SECTION. **Sec. 301.** Part headings and captions used in this
33 act are not any part of the law.

1 NEW SECTION. **Sec. 302.** If any provision of this act or its
2 application to any person or circumstance is held invalid, theremainder
3 of the act or the application of the provision to other persons or
4 circumstances is not affected.

5 NEW SECTION. **Sec. 303.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and takes effect
8 immediately.

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